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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,539	03/30/2004	Bill Tsang Chun Chee	03-124	3433

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EXAMINER

NEWHOUSE, NATHAN JEFFREY

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/812,539

Applicant(s)

CHEE, BILL TSANG CHUN

Examiner

Nathan J. Newhouse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/30/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 9 is rejected as applicant has not set forth how or what structure comprises the surface treatment on the side surface of the head of the male connector.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 is rejected as applicant states that the side surface of the head has a surface treatment for enhancing grip, but it is unclear what structure this comprises as applicant has not set forth any description of this in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Immerman et al. (US 6,604,648).

With respect to the limitation of “case”, Webster’s II New Riverside University Dictionary states that case means a decorative or protective covering. This definition is consistent with applicant’s specification and is used in determining the structure of applicant’s invention.

Immerman et al. teaches a case shell (5) that protects or covers the bottom of the container (3). The rear panel of the case shell has a recess (29) on the inner surface (closest to the container) and a corresponding bubble (27) on the outer surface with a throughbore (28). A fastening means comprises a male connector (35) for engaging a female connector housed within the recess.

With respect to claim 2, the bottom portion (8) is a backing that holds the female connector within the recess.

With respect to claims 3-4, the base/shell (5) is made of metal. See col. 3, lines 63-65.

With respect to claim 5, the male connector (35) has a threaded shaft(lower end of threaded shank), a support shaft(upper end of threaded shank) and a head.

Claim Rejections - 35 USC § 103

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Immerman et al. (US 6,604,648) in view of DeGraan (US 4,292,876).

Immerman et al. teaches everything except for the washer.

DeGraan teaches that is well known to place a washer between a male and female connector. DeGraan further teaches that it is well known to make the washer a composite with a rigid layer and soft layer to aid in providing an effective engagement between the male and female connectors. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a composite washer as taught by DeGraan between the male and female connectors of Immerman et al. to aid in their engagement.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Immerman et al. (US 6,604,648) in view of Wenzel (US 4,419,029) or Schlueter (US 2,384,264).

Immerman et al. teaches everything except for the head of the male connector having a slot for a coin.

Wenzel or Schlueter teaches that it is well known for threaded male connectors to have slots in their heads to receive screwdrivers or coins to aid in screwing or unscrewing the male connector. It would have been obvious to one of ordinary skill in

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the art at the time of the invention to provide a slot in the head of the male connector of Immerman et al. as taught by Wenzel or Schlueter to allow for a coin or screwdriver to aid in screwing or unscrewing of the male connector.

10. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Immerman et al. (6,604,648) in view of Brewer (US 4,058,242).

Immerman et al. teaches everything except for the head of the male connector having a grip-enhancing surface.

Brewer teaches a similar male connector with a head having a grip-enhancing surface to aid in screwing or unscrewing the male connector. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the male connector of Brewer with the grip enhancing head in place of the male connector of Immerman et al. to provide a male connector that is easier to screw or unscrew.

With respect to claim 5, to the degree that the male connector of Immerman et al. can be considered to not have both a threaded shaft and a support shaft, attention is drawn to the male connector of Brewer with a threaded shaft (2), a support shaft(between the head and threaded shaft), and a head (6).

11. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Immerman et al. (US 6,604,648)in view of Brewer (US 4,058,242) as applied to claim 5 in paragraph #10, and further in view of DeGraan (US 4,292,876).

Immerman et al., as modified above, teaches everything except for the washer.

DeGraan teaches that is well known to place a washer between a male and female connector. DeGraan further teaches that it is well known to make the washer a

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composite with a rigid layer and soft layer to aid in providing an effective engagement between the male and female connectors. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a composite washer as taught by DeGraan between the male and female connectors of Immerman et al. to aid in their engagement.

12. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Immerman et al. (US 6,604,648) in view of Brewer (US 4,058,242) as applied to claim 5 in paragraph #10, and further in view of Wenzel (US 4,419,029) or Schlueter (US 2,384,264).

Immerman et al., as modified above, teaches everything except for the head of the male connector having a slot for a coin.

Wenzel or Schlueter teaches that it is well known for threaded male connectors to have slots in their heads to receive screwdrivers or coins to aid in screwing or unscrewing the male connector. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a slot in the head of the male connector of Immerman et al. as taught by Wenzel or Schlueter to allow for a coin or screwdriver to aid in screwing or unscrewing of the male connector.

13. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Immerman et al. (US 6,604,648) in view of Tibbetts (US 6,357,951).

Immerman et al. teaches everything except for the shape of the recess and female connector corresponding to hold the female connector from turning when engaged by the male connector.

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Tibbetts teaches a similar male and female connector for attaching two structures together. The female connector (44) is held in a recess (60) securely as the female connector and recess have corresponding shapes. This prevents the female connector from turning when the male connector (34) is screwed on. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the female connector and recess of Immerman et al. with corresponding shapes as taught by Tibbetts to prevent the female connector from turning when applying the male connector.

Allowable Subject Matter

14. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,029,871

US 5,375,749

US 4,419,794

US 4,718,586

US 5,833,100

US 5,649,798


US 3,160,054

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan J. Newhouse whose telephone number is (703)-308-4158. The examiner can normally be reached on Monday-Thursday 6:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W. Young can be reached on (703)-308-2572. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nathan J. Newhouse
Primary Examiner
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